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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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01/23/2004

Kazushige Ichino

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1983

26272

7590

03/01/2005

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EXAMINER

RAIZEN, DEBORAH A

ART UNIT

PAPER NUMBER

2873

DATE MAILED: 03/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/763,988

Applicant(s)

ICHINO, KAZUSHIGE

Examiner

Deborah A. Raizen

Art Unit

2873

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4 and 5 is/are rejected.
- 7) ☒ Claim(s) 2,3 and 6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 0104.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Specification***

1. The disclosure is objected to because of the following informalities: On page 10, line 14, “the bellows-shaped member 11” should be changed to “the bellows-shaped member 10”. Also on page 10, in line 17, it appears that “10c” should be changed to “10b”.

Appropriate correction is required.

### ***Claim Objections***

2. Claim 3 is objected to because of the following informalities: On page 22, line 2, “fellows-shaped” should be changed to “bellows-shaped”. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 4, and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Tanaka (5,365,373).

In regard to claim 1, Tanaka discloses a lens barrel mechanism (Figs. 1 and 2) comprising: a first optical unit (L2); a second optical unit (L1); and a bellows-shaped unit for performing light blocking and dust proof (61), said bellows-shaped unit being disposed between said first optical unit and said second optical unit so as to be expanded and contracted

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interlocking with relative movement in an optical axial direction between said first optical unit and said second optical unit (Figs. 1 and 2); wherein one end of said bellows-shaped unit is fixed to said first optical unit (mounting ring 63 is secured to lens moving frame 25, col. 5, lines 1-8), and the other end of said bellows-shaped unit (the object-side end, which has a reinforcing ring 65) is mounted to said second optical unit such that the other end of said bellows-shaped unit can be moved in the optical axial direction relative to said second optical unit (comparison of Figs. 1 and 2 shows such movement), and the other end of said bellows-shaped unit can be regulated by different regulating portions of said second optical unit between cases where said bellows-shaped unit is contracted (Fig. 1: holding frame 11) and where said bellows-shaped unit is expanded (Fig. 2: engaging flange 16a; barrier actuating ring 16 is disclosed to be mounted on lens barrel 12—col. 4, lines 15-16—and therefore is a portion of the second optical unit, L1).

In regard to claim 4, Tanaka discloses a camera characterized by a lens barrel mechanism recited in claim 1 (col. 2, lines 11-15).

In regard to claim 5, Tanaka discloses a lens barrel mechanism (Figs. 1 and 2) characterized in that a bellows-shaped unit for performing light blocking and dust proof (61) is disposed between a first unit (L2) and a second unit (L1) which are movable relative to each other in an optical axial direction of a lens barrel (Figs. 1 and 2), a first portion of said bellows-shaped unit is fixed to said first unit (mounting ring 63 is secured to lens moving frame 25, col. 5, lines 1-8), a second portion of said bellows-shaped unit is mounted to said second unit such that said second portion can be moved in the optical axial direction relative to said second unit (comparison of Figs. 1 and 2 shows such movement), and said second portion of said bellows-shaped unit can be regulated in the optical axial direction by different portions of said second

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unit between cases where said bellows-shaped unit is contracted (Fig. 1: holding frame 11) and where said bellows-shaped unit is expanded (Fig. 2: engaging flange 16a; barrier actuating ring 16 is disclosed to be mounted on lens barrel 12—col. 4, lines 15-16—and therefore is a portion of the second optical unit, L1), interlocking with the relative movement in the optical axial direction of said first unit and said second unit (Figs. 1 and 2).

*Allowable Subject Matter*

5. Claims 2, 3, and 6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The prior art taken either singularly or in combination fails to anticipate or fairly suggest the limitations of claims 2, 3, and 6, in such a manner that a rejection under 35 U.S.C. 102 or 103 would be proper.

The prior art fails to teach a combination of all the features in claim 2. For example, these features include the detailed structure recited in claim 1 and also the limitation said different regulating portions ... the other of which is a portion of said cam pin protruding toward the inner circumferential side of said second optical unit, in combination with all the other limitations of the claim.

The prior art fails to teach a combination of all the features in claim 3. For example, these features include the detailed structure recited in claim 1 and also the limitation the other end of said bellows-shaped unit impinges said regulating portion which is a portion of a cam pin

protruding toward an inner circumferential side of said second optical unit, in combination with all the other limitations of the claim.

The prior art fails to teach a combination of all the features in claim 6. For example, these features include the detailed structure recited in claim 5 and also the limitation said regulating portion at the time of expansion is a portion of a cam pin protruding toward an inner circumferential side, in combination with all the other limitations of the claim.

### *Conclusion*

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Deborah A. Raizen, Ph.D., J.D., whose telephone number is (571) 272-2336. The examiner can normally be reached on Monday-Friday, from 10:00 a.m. to 3:00 p.m. Eastern Standard Time (a part-time schedule).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Y. Epps can be reached at (571) 272-2328. The USPTO central official fax number is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. For more information, see <http://pair-direct.uspto.gov>. For access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or at 703-305-3028 or at 703-308-6845, or by e-mail at: [ebc@uspto.gov](mailto:ebc@uspto.gov). Additional information is available on the Patent EBC Web site at: <http://www.uspto.gov/ebc/index.html>.

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